



Antitrust Law module

Code of Conduct



Otto Krahn
Group

We fully support fair competition and the legal framework



that makes it possible. We comply with all applicable antitrust regulations as a matter of course.

As such, the Otto Krahn Group's self-perception includes obliging all of its employees to comply with applicable laws. We strictly reject the idea that making profit requires or even justifies illegal conduct.

In their day-to-day work, and especially when in contact with suppliers or customers, our managers and employees must pay particular attention to ensuring that all antitrust regulations are observed, i.e., they must be familiar with the principles of antitrust law.

Overview

National and transnational competition and antitrust law (e.g. in the EU) generally prohibits agreements or negotiations that restrict trade or competition. EU antitrust law prohibits two specific categories of behavior:

Anti-competitive agreements, in particular those covered by the cartel ban, and abuse of market-leading position. None of our employees are permitted to initiate, participate in or otherwise support such actions

Prohibition of agreements restricting competition

The cartel ban prohibits:

- Arrangements, contracts and/or conduct agreements
- between companies which restrict,
- prevent, or distort competition or intend to do so.

Restrictions on competition can be either vertical or horizontal. Horizontal restriction of competition involves agreements between competitor companies that either potentially or actually participate in the same market. The most common forms of competition restriction include:

- Price agreements,
- Agreements on other conditions,
- Allocation of markets,
- Exchange of competition-relevant information,
- coordinated participation or non-participation in tenders for public or private projects.

Vertical restriction of competition include agreements between companies at different levels of business, i.e. between companies who are in a supplier-customer relationship. This includes, in particular:

- Retail price agreements, e.g. setting minimum resale prices,
- Protection agreements regarding specific customers or territories, insofar as these are not exempt from antitrust regulations,
- Exclusive procurement obligations, insofar as these are not excluded from antitrust regulations,
- Exchange of competition-related information.

Exceptions to antitrust regulations are possible in certain circumstances; this requires prior legal analysis and therefore involvement of the Otto Krahn Group Legal Department.



Abuse of market-leading position

Antitrust regulations also prohibit one or more companies from abusing their position as market leader (defined as 30% or greater market share in a specific product segment).

Abuse of a market-leading position can result in competitors being prevented from participating in the market (exclusionary abuse), or to customers or suppliers being treated unequally or exploitatively without objective reason (abuse of exploitation).

Behavior rules for employees

Questions relating to antitrust regulations are often not easy to answer.

However, that does not release Otto Krahn Group employees from their obligation to comply with these regulations everywhere, at all times. When in doubt, employees are obliged to consult their superiors, the Head of Legal, or the CFO of the Otto Krahn Group.

In any case, the following basic rules must always be observed: We do not disclose any information that could enable others to draw conclusions about the individual market behavior of the Otto Krahn Group if such information has not yet been made public.

We also do not request this type of information from other competitors. We generally do not enter into any competition-restricting agreements with competitors. Even non-legally binding agreements (gentlemen's agreements) are forbidden under antitrust regulations.

If competitors initiate discussions at association events or similar events that are prohibited under such regulations, we shall leave the event immediately. It is also important to document that we have explicitly rejected such discussions. If such situations arise, we insist on receiving appropriate documentation.

We must even avoid behavior that could give the impression that potentially anti-competitive agreements are emerging: for example, informal meetings with competitors, misunderstandings due to wording in internal or external correspondence, etc.

Your contact person

These guidelines on antitrust regulations are intended to support employees in their daily work. Employees are also welcome to bring any questions they may have on cartel and competition law to their direct supervisors, the Head of Legal, or the CFO of the Otto Krahn Group.

In the event of concrete and justified indications of a violation of one of the aforementioned principles, you

are obliged to notify your direct manager, the Head of Legal, and/or the CFO of the Otto Krahn Group. If you so desire, we will treat the information you provide as confidential to the extent permitted by law. You can also submit all reports via our anonymous whistleblower system (<https://otto-krahn-gruppe.integrityline.app/>), which can also be accessed through our websites.

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